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Security Council

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Letter dated 2 October 2001 from the Permanent Representative of Jamaica to the United Nations addressed to the President of the Security Council

Pursuant to the letter from the President of the Security Council dated 14 September 2001, wherein I have bee authorized to continue to work with the President and those who had served on the Security Council Committee established pursuant to resolution 1160 (1998), please find herewith the requested final report covering major activities of the Committee from 1 January to 10 September 2001.

I would be grateful if the report could be circulated as a document of the Security Council.

(*Signed*) M. Patricia **Durrant**
Ambassador
Permanent Representative

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Annex to the letter dated 2 October 2001 from the Permanent Representative of Jamaica to the United Nations addressed to the President of the Security Council

Report submitted pursuant to the letter dated 14 September 2001 from the President of the Security Council addressed to the Permanent Representative of Jamaica to the United Nations

1. The present report is submitted to the Security Council in accordance with the above-mentioned letter. The report contains information on the activities of the Security Council Committee established pursuant to resolution 1160 (1998) from 1 January to 10 September 2001, when the Security Council decided by its resolution 1367 (2001) to terminate the established arms embargo.

I. Mandate of the Committee

2. During the period covered by the present report, no modification was made by the Security Council to the mandate of the Committee, as outlined in its resolutions 1160 (1998) and 1199 (1998).

3. Following consultations, the members of the Council agreed to elect Ambassador M. Patricia Durrant (Jamaica) as Chairperson and the delegations of Norway and Tunisia as Vice-Chairmen of the Committee for 2001.

4. During the period under consideration, the Committee held no formal meetings. Nevertheless, the Committee, under the Chairmanship of Ambassador Durrant and with the assistance of the secretariat, continued to fulfil its mandate.

5. On 31 January 2001, the Committee approved, under the no-objection procedure, its annual report for 2000 and submitted it to the Security Council (S/2001/102).

II. Status of the implementation of Security Council resolution 1160 (1998)

6. No reply was received in 2001 concerning the measures that States had been requested to institute in meeting the obligations set out in paragraph 12 of resolution 1160 (1998).

7. In a letter dated 7 February 2001, Bulgaria requested the Committee's approval to export 2,000 tons per month of industrial explosives to several mining companies in the Federal Republic of Yugoslavia. The Committee approved this request under the no-objection procedure. In the approval letter, the Committee also recognized the Bulgarian monitoring agencies' willingness to apply appropriate control measures throughout the export process.

8. The Permanent Observer of Switzerland to the United Nations, in his letter dated 8 March 2001, provided some information concerning an arms shipment to Kosovo, Federal Republic of Yugoslavia, reported by Xinhua News Agency. This case was brought to the attention of the Committee by its secretariat. Switzerland reported that criminal proceeding had been conducted by the authorities in Geneva, and two persons were arrested on 13 July 2000 and charged with a serious offence against the federal law on military equipment. The Permanent Observer further noted that the accused persons would be brought to trial at some time during 2001.

9. The United Kingdom submitted one request for approval dated 18 April 2001 to transfer demining equipment to humanitarian demining organizations working for the United Nations Interim Administration Mission in Kosovo (UNMIK). The Committee approved this request under the no-objection procedure. However, the Committee was not in a position to confirm that a firm/NGO working under contract with UNMIK should be considered to be part of the international presence and therefore should be exempted from the approval procedure established by the Committee.

10. In a letter dated 15 May 2001 from the President of the Security Council to the Secretary-General (S/2001/482), the Security Council decided to send a second mission on the implementation of Security Council resolution 1244 (1999) to Kosovo, with the mandate, inter alia, to review ongoing implementation of the prohibitions imposed by the Security Council in its resolution 1160 (1998).

11. The mission visited Kosovo from 16 to 18 June 2001. The Chairperson discussed with the new Commander, Lieutenant General Thorstein Skiaker, the issues relating to implementation of the arms embargo given KFOR's responsibility for conducting border monitoring duties in accordance with paragraph 9 (g) of Security Council resolution 1244 (1999). She mentioned that although the issue had already been raised in her letter addressed to the Secretary-General on 20 June 2000, following an earlier Council Mission in April 2000, no response from KFOR had been received. She also underscored the continued need for detailed information on weapons seized to be provided to the Committee. In his response, General Skiaker noted that KFOR operations had continued to result in frequent weapons seizures during its border monitoring. Upon further clarification with regard to the requirements of the Committee, he undertook to provide the Committee with the requested information in the future. The Chairperson informed the Secretary-General that the Committee would appreciate if KFOR could be approached formally with a request to regularly provide to the Committee detailed information, including that pertaining to the origin, type and quantity of weapons seized, in order to enable it to pursue any possible violations in contravention of resolution 1160 (1998).

12. In response to the Chairperson's letter, the Secretary-General, in his letter dated 7 August 2001, informed the Secretary-General of the North Atlantic Treaty Organization (NATO) that he would be most grateful in NATO could make the necessary arrangements for KFOR to supply the requested information to the Committee on a regular basis. No such information was provided to the Committee by 10 September 2001, the end of the period covered by the present report.

III. Violations and allegations of violations

13. The Committee received no reports on actual violations or alleged violations of the sanctions measures from States and pertinent regional and international organizations.

14. The Committee, in discharging its mandate, relied primarily on information gathered by the Secretariat from public sources. The Committee sought and received additional information on one case of violations, as referred to in paragraph 8 above, in which there was an indication that violations of the prohibitions established by Security Council resolutions 1160 (1998) and 1199 (1998) might have occurred.

15. Reports on KFOR and SFOR activities contained no information on violations.

16. The Committee expressed its appreciation for the assistance that it had received from the Secretariat.